

CONGRESSIONAL RECORD SUMMARY

Wednesday, April 17, 2002

SENATE

Measures Introduced:

S. 2184. A bill to provide for the reissuance of a rule relating to ergonomics; to the Committee on Health, Education, Labor, and Pensions.

Breaux

Pages S 2828-9, S 2838

S. 2185. A bill to *amend the Employee Retirement Income Security Act of 1974* to provide workers with individual account plans with information on how the assets in their accounts are invested and of the need to diversify the investment of the assets; to the Committee on Health, Education, Labor, and Pensions.

Cleland

Page S 2829, S 2838-9

S. 2186. A bill to amend title 38, United States Code, to establish a new Assistant Secretary to perform operations, preparedness, *security and law enforcement functions*, and for other purposes; to the Committee on Veterans' Affairs.

Rockefeller

Page S 2829, S 2839-40

S. 2189. A bill to amend the Trade Act of 1974 to remedy certain effects of injurious steel imports by protecting benefits of steel industry retirees and encouraging the strengthening of the American steel industry; to the Committee on Finance. *(Chapter 11 & 7 of title 11 mentioned)*

Rockefeller

Pages S 2829, S 2842-7

S. 2190. A bill to amend the Internal Revenue Code of 1986 and the *Employee Retirement Income Security Act of 1974* to provide employees with greater control over assets in their pension accounts by providing them with better information about investment of the assets, new diversification rights, and new limitations on pension plan blackouts, and for other purposes; to the Committee on Finance.

Kerry

Pages S 2829, S 2847-9

S. Res. 244. *A resolution eliminating secret Senate holds; to the Committee on Rules and Administration.*

"...I am submitting, along with my colleague Senator Wyden, a Senate resolution to amend the Senate rules to eliminate secret holds. [] A Senator might place a hold on a piece of legislation or a nomination because of legitimate concerns about that legislation or nomination. However, there is no legitimate reason why a Senator placing a hold on a matter should remain anonymous..."

Grassley

Pages S 2829, S 2850

S. 517. Energy Policy Act:

Senate continued consideration of S. 517, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto:

Pages S 2763-S 2820, S 2857-69, D 343

Pending:

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute.

Pages S 2763-S 2820, S 2857-69, D 343

S. 517. Energy Policy Act (Cont'd.):

Dayton/Grassley Amendment No. 3008 (to Amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Pages S 2763, D 343

Lott Amendment No. 3028 (to Amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees.

Pages S 2763, D 343

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:45 a.m., on Thursday, April 18, 2002, with a vote on the motion to close further debate on **Stevens Amendment No. 3133 (to Amendment No. 3132)**, to occur at 11:45 a.m. Further, that Members have until 10:45 a.m., to file second degree amendments.

Pages S 2820, D 343

Nominations Confirmed:

Senate confirmed the following nomination:

By a unanimous vote of 97 yeas (Vote No. 69), Lance M. Africk, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Pages S 2757-8, S 2869, D 343

Committee Meetings:

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2003.

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2003.

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded hearings to examine the effective use and necessary upgrades of information technology to provide a tool for collaboration among federal agencies and federal, state, and local law enforcement to share information in order to ensure homeland defense.

Committee on the Judiciary: Subcommittee on Constitution, Federalism, and Property Rights concluded hearings to examine the balance of war powers authority under the Constitution as it relates to our fight against terrorism, the cooperation between the White House and Congress in exercising shared war powers authority, and the application of the use-of- force resolution.

Page D 344

Committee Meetings For Thursday, April 18, 2002:

Committee on Appropriations: @ 2:30 p.m. Subcommittee on Treasury and General Government, to continue hearings on the proposed budget estimates for fiscal year 2003 **for certain law enforcement activities**. SD-192.

Committee on Health, Education, Labor, and Pensions: @ 10:00 a.m. To hold hearings to examine workplace injury issues. SD-430.

Committee on the Judiciary: @ 10:00 a.m. **Business meeting to consider pending calendar business.** SD-226.

Page D 348

Remarks:

Nominations.

"...The Senate is making progress on judicial confirmations. Under Democratic leadership, the Senate has

confirmed more judges in the last nine months than were confirmed in four out of 6 full years under Republican leadership. The number of judicial confirmations over this time--44--exceeds the number confirmed during all 12 months of 2000, 1999, 1997 and 1996. During the preceding 6½ years in which a Republican majority most recently controlled the pace of judicial confirmations in the Senate, 248 judges were confirmed. Some like to talk about the 377 judges confirmed during the Clinton administration, but forget to mention that more than one-third were confirmed during the first 2 years of the Clinton administration while the Senate majority was Democratic and Senator Biden chaired the Judiciary Committee. The pace of confirmations under a Republican majority was markedly slower-- especially in 1996, 1997, 1999, and 2000..."

Leahy

Pages S 27598-60

The United States/Russian Plutonium Disposition Agreement.

"...However, the Governor [of South Carolina] is apparently insisting that this matter should be thrown to the courts and resolved through the mechanism of a court ordered consent decree. Putting the courts in charge of executive branch non-proliferation and foreign policy affairs will slow our ability to meet our goals of reducing Russian nuclear material stockpiles, and will allow others who are opposed to the program's goals have a voice in their implementation. Ultimately, I fear America's national security will be undermined..."

Domenici

Pages S 2820-1

HOUSE

Bills Introduced:

H.R. 4477. A bill to amend title 18, United States Code, with respect to crimes involving the transportation of persons and sex tourism; to the Committee on the Judiciary.

Page H 1410

Child Custody Protection Act:

The House passed H.R. 476, to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions by a recorded vote of 260 ayes to 161 noes, Roll No. 97.

Pages H 1351-73, D 345

"...H.R. 476 has two primary purposes: the first is to protect the health and safety of young girls by preventing valid constitutional State parental involvement laws from being circumvented. The second is to protect the rights of parents to be involved in the medical decisions of their minor daughters...[] In light of the widespread practice of circumventing validly enacted parental involvement laws by the transportation of minors across State lines, it is entirely appropriate for Congress, with its exclusive constitutional authority to regulate interstate commerce, to enact the Child Custody Protection Act..."
(Sensenbrenner, Pages H 1352-53)

Child Custody Protection Act (Cont'd):

"...Mr. Speaker, the previous speaker, the gentlewoman from Florida, showed us the horrible example of a perfectly legal ad in the Yellow Pages offering perfectly legal services in a State where it is legal to do so, as if there were something terrible about that. I do not think it is terrible, I think it is praiseworthy. The fact is, there are many young women under the age of 18, maybe 17, maybe 16, who cannot go to their

parents; who desperately need an abortion and cannot go to their parents for fear of violence or whatever. This ad says, 'You can have help here.' Nothing wrong with that. Many young women justifiably feel they would be physically or emotionally abused if forced to disclose their pregnancies to their parents, unfortunately. Nearly one-third of minors who choose not to consult with their parents when contemplating an abortion have experienced violence in their family, or feared violence, or feared being forced to live at home..." (Nadler, Page H 1354)

Rejected the Jackson-Lee of Texas motion that sought to recommit the bill to the Committee on the Judiciary with instructions to report it back to the House forthwith with an amendment that exempts an adult sibling, grandparent, minister, rabbi, pastor, priest, or other religious leader from provisions prohibiting the transportation of minors in circumvention of certain laws relating to abortion by a yeas-and-nays vote of 173 yeas to 246 nays, Roll No. 96.

Pages H 1369-72, D 345

H. Res. 388, the rule that provided for consideration of the bill, was agreed to by voice vote.

Pages H 1345-51, D 345

H.R. 2646 - Farm Security Act:

Motion to Instruct Conferees on the Farm Security Act--Proceedings Postponed: The House completed debate on the Smith of Michigan motion to instruct conferees on **H.R. 2646**, an act to provide for the continuation of agricultural programs through fiscal year 2011, to agree to the provisions contained in section 169(a) of the Senate amendment, relating to payment limitations for commodity programs; and to insist upon an increase in funding for conservation programs, in effect as of January 1, 2002, that are extended by title II of the Senate amendment; and research programs that are amended or established by title VII of the House bill or title VII of the Senate amendment. Pursuant to clause 8 of rule XX, the Chair postponed the vote on the motion.

Pages H 1373-79, D 345

Notice to Offer Motions to Instruct Conferees on the Farm Security Act: Pursuant to clause 7(c) of rule XXII, the following members intend to offer motions tomorrow to instruct conferees on **H.R. 2646**, an act to provide for the continuation of agricultural programs through fiscal year 2011. Representative Dooley announced his intention to offer a motion to instruct conferees to agree to the provisions contained in section 335 of the Senate amendment, relating to agricultural trade with Cuba.

Pages H 1373-79, H 1379-82, D 345

Representative Baca announced his intention to offer a motion to instruct conferees to agree to provisions contained in Section 452 of the Senate amendment, relating to restoration of benefits to children, legal immigrants who work, refugees, and the disabled.

Pages H 1379, D 345

Committee Meetings:

Committee on the Judiciary: Subcommittee on Immigration and Claims approved for full Committee action the following bills: H.R. 2623, Posthumous Citizenship Restoration Act of 2001.

Page D 346

Committee on Resources: Held a hearing on the following bills: **H.R. 103**, *Tribal Sovereignty Protection Act*; **H.R. 3534**, *Cherokee, Choctaw, and Chickasaw Nations Claims Settlement Act*; and **H.R. 3476**, to

protect certain lands held in fee by the Pechanga Band of Luiseno Mission Indians from condemnation until a final decision is made by the Secretary of the Interior regarding a pending fee to trust application for that land.

Page D 347

Committee Meetings for Thursday, April 18, 2002:

Committee on Appropriations: @ 10:00 a.m. Subcommittee on Commerce, Justice, State and Judiciary, on Bureau of Prisons. H-309 Capitol.

Page D 348

Committee on the Judiciary: @ 10:00 a.m. To mark up the following measures: H.R. 1577, *Federal Prison Industries Competition in Contracting Act of 2001*; H.R. 1877, *Child Sex Wiretapping Act of 2001*; H.R. 3375, *Embassy Employee Compensation Act*; H.R. 3892, *Judicial Improvements Act of 2002*; H.R. 3482, *Cyber Security Enhancement Act of 2001*; H.R. 3215, *Combating Illegal Gambling Reform and Modernization Act*; H.R. 2068, *To revise, codify, and enact without substantive change certain general and permanent laws, related to public buildings, property, and works, as title 40, United States Code, "Public Buildings, Property, and Works;"* 2141 Rayburn.

Page D 348

Remarks:

Pension Security Act of 2002.

Udall

Pages E 554-55

Tiahrt

Page E 557

Oxley

Pages E 557-58

Baird

Page E 559

Make Child Pornography Illegal.

"...Attorney General Ashcroft said the ruling makes prosecution of child pornographers immeasurably more difficult. He offered to work with Congress on new legislation that could withstand the Court's scrutiny. Mr. Ashcroft, I join you today in hoping we can craft a bill that meets the fitness test of the Supreme Court so we can rule this to be an illegal activity..."

Foley

Page H 1342

U.S. Supreme Court Decision is a Clear and Present Danger to our Children.

Lampson

Pages H 1344-45

Bipartisan Denouncement of United states Supreme Court Decision Involving Child Pornography.

Pence

Page H 1345

Supreme Court Ruling Threatens Our Children.

Miller

Page H 1384

Remarks (Cont'd):

Passage of **H.R. 476**, Child Custody Protection Act.

Shuster

Page H 1345

Child Custody Protection Act.

Myrick

Page H 1345-47

Next SENATE MEETING: Thursday, 9:45 a.m., April 18, 2002.
Next HOUSE MEETING: Thursday, 10:00 a.m., April 18, 2002.

OLA: S. Schwarz, A. Santos